

From: Hilton, Jeffrey
To: Microsoft ATR
Date: 1/24/02 3:10pm
Subject: Microsoft Settlement

To Whom it may concern,

I am a software professional, and find the proposed settlement with Microsoft quite disturbing.

1. It is not enforceable in a practical manner. In this time of war, our government cannot afford to, does not have the resources or will to, and should not have to, keep the constant active vigilance that would be required by this settlement to enforce this settlement. Microsoft has shown a great tenacity in pushing the limits of the law, and it cannot be assumed that Microsoft will suddenly try to adhere to the spirit of the law when it is not to their advantage.
2. It does not prevent Microsoft from artificially raising barriers to competitors. Nor does it have Microsoft redress any of the many areas where Microsoft used its monopoly to gain advantage. At a minimum the field should be leveled, but after destroying the competitive ecosystem, they are also responsible for restoring the competitive environment.
3. Microsoft makes its money in a profession where a few changes in wording (code) can make major changes in the results, and they are experts at it. Yet, the wording used in the settlement leaves loop holes in the wording and definitions that are very simple to get around.

As a software professional I could go on for pages on how Microsoft used its monopoly status to destroy its competitors in the software market and that this settlement does nothing to curb those practices. However, I think it would be better for me to leave the details to others and simply state my concern that this settlement is a slap on the wrist, and will do nothing to better the software field (or industry as a whole) and is not in the public's best interest.

Sincerely,
Jeffrey M. Hilton